

1 RENE L. VALLADARES  
Federal Public Defender  
2 Nevada State Bar No. 11479  
NAVID AFSHAR  
3 Assistant Federal Public Defender  
411 E. Bonneville, Ste. 250  
4 Las Vegas, Nevada 89101  
(702) 388-6577/Phone  
5 (702) 388-6261/Fax  
Navid\_Afshar@fd.org  
6

7 Attorney for Gilbert Soto

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10  
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 GILBERT SOTO,

15 Defendant.  
16

Case No. 2:22-cr-00063-JCM-VCF-1

**STIPULATION TO CONTINUE  
SENTENCING HEARING**  
(Second Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M.  
18 Frierson, United States Attorney, and Daniel J. Cowhig, Assistant United States  
19 Attorney, counsel for the United States of America, and Rene L. Valladares,  
20 Federal Public Defender, and Navid Afshar, Assistant Federal Public Defender,  
21 counsel for Gilbert Soto, that the sentencing hearing scheduled for March 3, 2023,  
22 be vacated and set to a date and time convenient to this Court, but no sooner than  
23 thirty (30) days.

24 The Stipulation is entered into for the following reasons:  
25

26 1. Defense counsel needs additional time to research information  
presented in the Pre-sentence Investigation Report and is specifically following up

1 on information provided by the Defendant. This additional time is necessary to  
2 make objections, and prepare possible mitigation information prior to proceeding  
3 with the sentencing hearing.

4 2. Although Fed. R. Crim. P 32(f)(1) requires that “within 14 days after  
5 receiving the presentencing report, the parties must state in writing any  
6 objections,” Fed. R. Crim. P 32(i)(1)(D), authorizes the court “for good cause, [to]  
7 allow a party to make a new objection at any time before sentence is imposed.”  
8 Defense counsel requests that the court permit objections on behalf of the  
9 defendant to be filed by February 28, 2023. The USAO does not oppose this request.

10 3. Counsel and the United States Probation Office have conferred to  
11 ensure that the new sentencing date requested will permit the probation office to  
12 receive, assess, and respond to the additional objections before the sentencing  
13 hearing.

14 4. The defendant is incarcerated and does not object to the continuance.

15 5. The parties agree to the continuance.

16 This is the second stipulation to continue filed herein.

17 DATED this 16<sup>th</sup> day of February, 2023.

18  
19 RENE L. VALLADARES  
20 Federal Public Defender

JASON M. FRIERSON  
United States Attorney

21 By /s/ Navid Afshar

By /s/ Daniel J. Cowhig

22 NAVID AFSHAR  
Assistant Federal Public Defender

DANIEL J. COWHIG  
Assistant United States Attorney

1  
2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA  
4

5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 v.

8 GILBERT SOTO,

9 Defendant.  
10

Case No. 2:22-cr-00063-JCM-VCF-1

ORDER

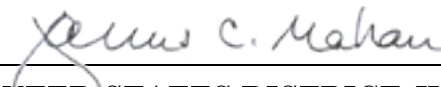
11 The parties being in agreement, good cause being shown, and the ends of  
12 justice being best served by the granting of the requested continuance:

13 IT IS THEREFORE ORDERED that the defendant shall have until  
14 February 28, 2023, to make informal objections to the Presenting Investigation  
15 Report.

16 IT IS FURTHER ORDERED that the Sentencing currently scheduled for  
17 March 3, 2023 at 11:00 a.m., be vacated and continued to **April 5, 2023 at 10:30**  
18 **a.m.**

19 IT IS SO ORDERED.

20 DATED February 17, 2023.  
21

22  
23   
24 UNITED STATES DISTRICT JUDGE  
25  
26